



# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. PD-1269-16

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**CHRISTOPHER JAMES HOLDER, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW  
FROM THE FIFTH COURT OF APPEALS  
COLLIN COUNTY**

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***Per curiam.* NEWELL, J., filed a concurring opinion. YEARY, J., filed a concurring and dissenting opinion.**

## **ORDER**

The Court grants discretionary review of ground four of Appellant's petition for discretionary review, which states,

The Court of Appeals erred in holding the State's acquisition of Petitioner's historical cell phone records under an order issued under the federal stored communications act without a showing of probable cause in the petition was reasonable under the guarantees of privacy in Article I section 9 of the Texas constitution.

The parties shall brief the issue and file their briefs within 30 days from the date of

this order. The Clerk of this Court will send copies of this order to the State Prosecuting Attorney, the District Attorney for Collin County, and Appellant's counsel.

October 23, 2019

Publish